

S.C.R. 50 (Ogg) Granting Harris County permission to sue the State of Texas. (vv)

S.C.R. 52 (Traeger) Granting Motorola, Inc., permission to sue the State of Texas. (vv)

S.C.R. 57 (Harris) Granting Synergy Enterprises, Inc., permission to sue the State of Texas. (vv)

H.B. 588 (Farabee) Relating to the condition of misdemeanor probation. (vv)

H.B. 598 (Schwartz) Relating to the assessor-collector's fees for collecting drainage district taxes. (31-0)

H.C.R. 60 (Mauzy) Requesting the Attorney General not to authorize sale of bonds by a senior college or university against the tax proceeds of the next ten years under the ad valorem tax before the end of the 66th Legislature. (vv)

CONCLUSION OF SESSION FOR LOCAL AND UNCONTESTED BILLS CALENDAR

The Presiding Officer (Senator Jones of Harris in Chair) announced that the session for the consideration of the Local and Uncontested Bills Calendar was concluded.

ADJOURNMENT

On motion of Senator Longoria the Senate at 8:47 o'clock a.m. adjourned until 10:00 o'clock a.m. today.

FORTY-FIRST DAY (Thursday, March 22, 1979)

The Senate met at 10:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Andujar, Blake, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Harris, Howard, Jones of Harris, Jones of Taylor, Kothmann, Longoria, Mauzy, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Price, Santiesteban, Schwartz, Short, Snelson, Traeger, Truan, Vale, Williams.

A quorum was announced present.

The Reverend Young Tucker, First Baptist Church, Duncanville, offered the invocation as follows:

May we pray together. Our Heavenly Father, today we thank You for the privilege that's ours to be here, for this group to meet as they represent all of us.

We thank You for the wisdom that You give each one of them, and our prayer is today, Lord, that You'll help each with the anxieties and the fears, and give each the wisdom that's so needed for this day, is our prayer in the precious name of Jesus. Amen.

On motion of Senator Moore and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

REPORTS OF STANDING COMMITTEES

Senator Brooks submitted the following report for the Committee on Human Resources:

S.B. 1139
S.B. 549
S.C.R. 31
C.S.S.B. 628 (Read first time)

Senator Creighton submitted the following report for the Committee on Economic Development:

S.B. 153 (Amended)

Senator Moore submitted the following report for the Committee on State Affairs:

S.B. 765
C.S.S.B. 787 (Read first time)
C.S.S.B. 936 (Read first time)
S.B. 833
S.B. 474

Senator Schwartz submitted the following report for the Committee on Natural Resources:

H.B. 1050
C.S.S.B. 665 (Read first time)
S.B. 681
C.S.S.B. 746 (Read first time)
C.S.S.B. 666 (Read first time)
S.B. 737

SENATE BILLS ON FIRST READING

On motion of Senator Jones of Harris and by unanimous consent, the following bills were introduced, read first time and referred to the Committee indicated:

S.B. 1183 by Howard State Affairs
Relating to the conduct of local option alcoholic beverage elections.

S.B. 1184 by Howard Education
Relating to membership and powers and duties of the Coordinating Board, Texas College and University System.

S.B. 1185 by Jones of Harris Jurisprudence
Relating to jeopardy in criminal cases when reversed on appeal because of insufficient evidence; amending Article 42.25, Code of Criminal Procedure; and declaring an emergency.

S.B. 1186 by Truan Finance
AN ACT, relating to the authority of the Texas Department of Mental Health and Mental Retardation to transfer items of appropriation to the Corpus Christi State School.

HOUSE BILLS ON FIRST READING

The following bills received from the House were read the first time and referred to the Committee indicated:

- H.B. 169**, To Committee on Human Resources.
- H.B. 305**, To Committee on Human Resources.
- H.B. 575**, To Committee on State Affairs.
- H.B. 1007**, To Committee on State Affairs.
- H.B. 783**, To Committee on State Affairs.

MESSAGE FROM THE GOVERNOR

The following Message from the Governor was read and was referred to the Committee on State Affairs, Subcommittee on Nominations:

Austin, Texas
March 22, 1979

TO THE SENATE OF THE SIXTY-SIXTH LEGISLATURE, REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

TO BE A MEMBER OF THE FINANCE COMMISSION OF TEXAS, BANKING SECTION:

For a six-year term to expire February 1, 1985:

MR. RONALD LEE KELLETT of Kingsville, Kleberg County, is replacing Mr. Cam F. Dowell, Jr. of Dallas, Dallas County.

TO BE A MEMBER OF THE TEXAS AMUSEMENT MACHINE COMMISSION:

For a four-year term to expire January 31, 1983:

MR. DAVID L. SHAW of Dallas, Dallas County, is replacing Mr. L. G. Moore of Houston, Harris County, whose term expired.

TO BE A MEMBER OF THE TEXAS BOARD OF PRIVATE INVESTIGATORS AND PRIVATE SECURITY AGENCIES:

For a six-year term to expire January 31, 1985:

MR. JOE B. SIMMONS, JR. of Lubbock, Lubbock County, is replacing Mr. Herbert Joe Kelpen, Sr. of Cypress, Harris County, whose term expired. Mr. Simmons will be representing industry.

Respectfully submitted,

/s/W. P. Clements, Jr.
Governor of Texas

HOUSE CONCURRENT RESOLUTION 76

The President laid before the Senate the following resolution:

H.C.R. 76, Authorizing the State Board of Control to close the capitol grounds to motor vehicles and traffic movement for the Waterloo Festival Fun Run on Saturday, April 7, 1979.

The resolution was read.

On motion of Senator Doggett and by unanimous consent, the resolution was considered immediately and was adopted.

COMMITTEE APPOINTED

In accordance with the provisions of **H.C.R. 55**, the President announced the appointment of the following as a Committee to Escort Reverend Jesse Jackson to the Joint Session: Senators Andujar, Braecklein, Longoria, Mengden, Snelson and Jones of Harris.

CONSIDERATION OF NOMINATIONS

The President announced that the time had arrived for the Senate to consider the nominations to agencies, boards and commissions. (Notice of submission of these names having been given by Senator McKnight yesterday.)

EXECUTIVE SESSION

On motion of Senator McKnight and by unanimous consent, the Senate agreed to meet in Executive Session to consider nominations.

Accordingly, the President at 10:18 o'clock a.m. directed all those not entitled to attend the Executive Session of the Senate to retire from the Senate Chamber and instructed the Sergeant-at-Arms to close all doors leading from the Chamber.

IN LEGISLATIVE SESSION

At the conclusion of the Executive Session, the President called the Senate to order as In Legislative Session at 10:48 o'clock a.m.

REPORT OF STANDING COMMITTEE

Senator McKnight submitted the following report for the Committee on Nominations:

TO THE SENATE OF THE SIXTY-SIXTH LEGISLATURE, REGULAR SESSION:

We, your Subcommittee on Nominations, to which were referred the attached appointments, have had same under consideration, and beg to report them back to the Senate for final consideration.

PENDING BEFORE THE SENATE:

To be a Member of the STATE BOARD OF INSURANCE: William P. Daves, Jr., Dallas County.

To be JUDGE OF THE 125TH JUDICIAL DISTRICT: W. B. Edwards, Harris County.

Senator McKnight moved those nominees reported from Subcommittee on Nominations, and pending from report of that Committee last Thursday, March 15, 1979, be confirmed.

The President asked if there were requests to sever nominees.

Senator Brooks requested that Mr. W. B. Edwards, to be Judge of the 125th Judicial District, Harris County, be severed.

The request was granted.

Senator McKnight moved that the remaining nomination not severed and reported by the Subcommittee on Nominations, Mr. William P. Daves, Jr., to be a Member of the State Board of Insurance, be confirmed.

Mr. Daves was confirmed by the following vote: Yeas 31, Nays 0.

The nomination of Mr. W. B. Edwards, to be Judge of the 125th Judicial District, was rejected by the following vote (Not receiving two-thirds vote of the Members present): Yeas 19, Nays 12.

Yeas: Andujar, Braecklein, Creighton, Harris, Howard, Jones of Taylor, Kothmann, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Price, Santiesteban, Snelson, Traeger, Williams.

Nays: Blake, Brooks, Clower, Doggett, Farabee, Jones of Harris, Longoria, Mauzy, Schwartz, Short, Truan, Vale.

MOTION TO RECESS

Senator Moore moved at 10:59 o'clock a.m. that the Senate take recess until 1:30 o'clock p.m. today at the conclusion of the Joint Session.

JOINT SESSION

(To hear address of The Reverend Jesse Jackson)

The President announced that the hour for the Joint Session of the two Houses to hear the address of The Reverend Jesse Jackson, pursuant to the provisions of **H.C.R. 55**, had arrived.

Accordingly, the Senators present, accompanied by the Secretary of the Senate and Sergeant-at-Arms, repaired to the Hall of the House of Representatives at 11:00 o'clock a.m.

The President, by invitation of the Speaker of the House, occupied a seat on the Speaker's Rostrum.

The Honorable William P. Clements, Jr., Governor of the State of Texas, and The Reverend Jesse Jackson, accompanied by their party, were announced by the Doorkeeper of the House.

Governor Clements and Reverend Jackson were escorted to the Speaker's Rostrum by Senators Andujar, Braecklein, Longoria, Mengden, Snelson and Jones of Harris and Representatives A. Edwards, Hudson, Webber, S. Thompson, Salinas and Berlanga on the part of the House.

The President called the Senate to order and announced a quorum of the Senate present.

The Honorable Bill Clayton, Speaker of the House, announced the purpose of the Joint Session and announced a quorum of the House present.

Speaker Clayton introduced The Honorable William P. Clements, Jr., Governor of the State of Texas and the following platform guests: Reverend Eric Hooker, Secretary of State George Strake, Jessica L. Harden, Reverend E. L. Roberts, Senator Ralph W. Yarborough, John McKenzie, Reverend Marvin C. Griffin, Jimmy Snell, Dr. Jack Davidson, Latrica McArn Rayfield and Joe Kirvin.

Representative A. Edwards then introduced The Reverend Jesse Jackson, who addressed the Joint Session. (Complete text of speech printed in House Journal for March 22.)

At the conclusion of his address Reverend Jackson was presented with a certificate of "Honorable Citizenship" of the City of Austin and a key to the City of Austin by City Councilman Jimmy Snell.

The President and Speaker Clayton then presented Reverend Jackson with **H.C.R. 55** as adopted by the two Houses of the Legislature.

RECESS

The President announced the purpose of the Joint Session had been accomplished and declared the Senate at 12:16 o'clock p.m. recessed until 1:30 o'clock p.m. today in accordance with a motion previously adopted by the Senate.

AFTER RECESS

The President called the Senate to order at 1:30 o'clock p.m.

LEAVE OF ABSENCE

Senator Short was granted leave of absence for the remainder of today on account of illness on motion of Senator Traeger.

CO-AUTHORS OF SENATE BILL 474

On motion of Senator Mengden and by unanimous consent, Senators Traeger and Short will be shown as Co-authors of **S.B. 474**.

MESSAGE FROM THE HOUSE

House Chamber
March 22, 1979

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

SIR: I AM DIRECTED BY THE HOUSE TO INFORM THE SENATE THAT
THE HOUSE HAS PASSED THE FOLLOWING:

HB 616, A bill to be entitled An Act amending Subsection (1) of Article 1.06, Title 79, Revised Civil Statutes of Texas 1925 (Article 5069-1.06 Vernon's Texas Civil Statutes) providing for forfeiture of certain interest charges and declaring an emergency.

Respectfully,

BETTY MURRAY, Chief Clerk
House of Representatives

REPORTS OF STANDING COMMITTEES

By unanimous consent, Senator Jones of Harris submitted the following report for the Committee on Administration:

H.C.R. 71

By unanimous consent, Senator Snelson submitted the following report for the Committee on Intergovernmental Relations:

S.B. 559**S.B. 612****C.S.S.B. 512** (Read first time)**SENATE BILL 191 ON THIRD READING**

Senator Mauzy asked unanimous consent to suspend the regular order of business to take up for consideration at this time on its third reading and final passage:

S.B. 191, Relating to terminating the authority of certain state institutions of higher education to pledge tuition to the payment of bonded indebtedness incurred for the construction of facilities; and repealing Subsections (c) and (f) of Section 55.17, and Sections 55.171 and 55.172, Texas Education Code.

There was objection.

Senator Mauzy then moved to suspend the regular order of business and take up **S.B. 191** for consideration at this time.

The motion prevailed by the following vote: Yeas 20, Nays 2.

Yeas: Andujar, Blake, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Howard, Jones of Harris, Jones of Taylor, Kothmann, Longoria, Mauzy, Mengden, Moore, Price, Schwartz, Snelson, Williams.

Nays: Ogg, Patman.

Absent: Harris, McKnight, Meier, Parker, Santiesteban, Traeger, Truan, Vale.

Absent-excused: Short.

The bill was read third time and was passed by the following vote: Yeas 20, Nays 2. (Same as previous roll call)

BILL AND RESOLUTION SIGNED

The President announced the signing in the presence of the Senate, after the caption had been read, the following enrolled bill and resolution:

S.B. 130
S.C.R. 39

HOUSE CONCURRENT RESOLUTION 71 ORDERED NOT PRINTED

On motion of Senator Jones of Harris and by unanimous consent **H.C.R. 71** was ordered not printed.

HOUSE CONCURRENT RESOLUTION 71 ON SECOND READING

On motion of Senator Jones of Harris and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading:

H.C.R. 71, Memorializing Congress to oppose the recommendations of the United States Department of Transportation which call for curtailing passenger train service in Texas.

The resolution was read second time and was adopted.

RECORD OF VOTES

Senators Mauzy and Moore asked to be recorded as voting "Nay" on the adoption of the resolution.

Senator Parker asked to be recorded as voting "Present-Not Voting" on the adoption of the resolution.

COMMITTEE SUBSTITUTE SENATE BILL 276 ON THIRD READING

On motion of Senator Doggett and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its third reading and final passage:

C.S.S.B. 276, Relating to regulation of nursing home administrators.

The bill was read third time and was passed.

SENATE BILL 978 ON SECOND READING

On motion of Senator Jones of Taylor and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 978, Relating to the temporary transfer of surplus cash between funds in the state treasury.

The bill was read second time.

Senator Jones of Taylor offered the following committee amendment to the bill:

Amend **S.B. 978** by inserting on Page 1, Line 16, the words "the state treasurer" after the word "and".

The committee amendment was read and was adopted.

On motion of Senator Jones of Taylor and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

SENATE BILL 978 ON THIRD READING

Senator Jones of Taylor moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 978** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 23, Nays 0.

Absent: Harris, Meier, Parker, Santiesteban, Traeger, Truan, Vale.

Absent-excused: Short.

The bill was read third time and was passed by the following vote: Yeas 24, Nays 0.

Absent: Harris, Meier, Parker, Traeger, Truan, Vale.

Absent-excused: Short.

SENATE BILL 275 ON SECOND READING

On motion of Senator Farabee and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 275, Relating to the issuance of subpoenas by local school boards; adding Sec. 23.33, Texas Education Code; and declaring an emergency.

The bill was read second time.

Senator Farabee offered the following amendment to the bill:

Amend **S.B. 275** by:

- (1) substituting the words “an employee of the district” for the words “a party” on page 1, line 16 of the printed bill, and
- (2) inserting the phrase “by its own policies or by state or federal law” between the word “provided” and the comma on page 1, line 17 of the printed bill, and
- (3) substituting the words “the employee” for the words “any party” on page 1, line 18 of the printed bill.

The amendment was read and was adopted.

On motion of Senator Farabee and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

SENATE BILL 275 ON THIRD READING

Senator Farabee moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 275** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 25, Nays 0.

Absent: Harris, Meier, Parker, Traeger, Truan.

Absent-excused: Short.

The bill was read third time and was passed by the following vote: Yeas 25, Nays 0. (Same as previous roll call)

COMMITTEE SUBSTITUTE SENATE BILL 246 ON SECOND READING

Senator Farabee asked unanimous consent to suspend the regular order of business to take up for consideration at this time:

C.S.S.B. 246, Amending Article 1.07, Title 79, Revised Civil Statutes of Texas 1925, as amended (Article 5069-1.07, Vernon's Texas Civil Statutes) by amending subsection (a) thereof relating to the determination of the legal rate of interest on certain loans; by adding a new subsection (e) thereto relating to the amount of late penalties chargeable on certain loans that does not constitute interest, and declaring an emergency.

There was objection.

Senator Farabee then moved to suspend the regular order of business and take up **C.S.S.B. 246** for consideration at this time.

The motion prevailed by the following vote: Yeas 19, Nays 6.

Yeas: Blake, Brooks, Creighton, Doggett, Farabee, Howard, Jones of Harris, Jones of Taylor, Kothmann, Longoria, Meier, Mengden, Moore, Ogg, Parker, Santiesteban, Snelson, Vale, Williams.

Nays: Braecklein, Clower, Mauzy, Patman, Price, Schwartz.

Absent: Andujar, Harris, McKnight, Traeger, Truan.

Absent-excused: Short.

The bill was read second time and was passed to engrossment by the following vote: Yeas 17, Nays 8.

Yeas: Blake, Brooks, Creighton, Doggett, Farabee, Howard, Jones of Harris, Jones of Taylor, Meier, Mengden, Moore, Ogg, Parker, Santiesteban, Snelson, Vale, Williams.

Nays: Braecklein, Clower, Kothmann, Longoria, Mauzy, Patman, Price, Schwartz.

Absent: Andujar, Harris, McKnight, Traeger, Truan.

Absent-excused: Short.

SENATE BILL 324 ON SECOND READING

Senator Mengden asked unanimous consent to suspend the regular order of business to take up for consideration at this time:

S.B. 324, Relating to a required probationary and training period for jailers and guards at county jails; providing penalties.

There was objection.

Senator Mengden then moved to suspend the regular order of business and take up **S.B. 324** for consideration at this time.

The motion prevailed by the following vote: Yeas 18, Nays 6.

Yeas: Blake, Brooks, Creighton, Doggett, Farabee, Howard, Jones of Harris, Kothmann, Meier, Mengden, Moore, Ogg, Parker, Price, Santiesteban, Snelson, Vale, Williams.

Nays: Braecklein, Clower, Longoria, Mauzy, Patman, Schwartz.

Absent: Andujar, Harris, Jones of Taylor, McKnight, Traeger, Truan.

Absent-excused: Short.

The bill was read second time.

Senator Mengden offered the following committee amendment to the bill:

Amend Senate Bill 324 by striking the phrase, "or recruits for the position of peace officer" in Subsection (g) of quoted Section 2 in Section 1 and substituting the following in lieu thereof:

"or for training jailers and guards of county jails or recruits for those positions"

The committee amendment was read and was adopted.

On motion of Senator Mengden and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

RECORD OF VOTES

Senators Mauzy, Braecklein and Longoria asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

SENATE BILL 324 ON THIRD READING

Senator Mengden moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 324** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 21, Nays 5.

Yeas: Blake, Brooks, Clower, Creighton, Doggett, Farabee, Howard, Jones of Harris, Jones of Taylor, Kothmann, Meier, Mengden, Moore, Ogg, Parker, Price, Santiesteban, Snelson, Traeger, Vale, Williams.

Nays: Braecklein, Longoria, Mauzy, Patman, Schwartz.

Absent: Andujar, Harris, McKnight, Truan.

Absent-excused: Short.

The bill was read third time and was passed by the following vote: Yeas 21, Nays 6.

Yeas: Andujar, Blake, Brooks, Creighton, Doggett, Farabee, Howard, Jones of Harris, Jones of Taylor, Kothmann, Meier, Mengden, Moore, Ogg, Parker, Price, Santiesteban, Snelson, Traeger, Vale, Williams.

Nays: Braecklein, Clower, Longoria, Mauzy, Patman, Schwartz.

Absent: Harris, McKnight, Truan.

Absent-excused: Short.

SENATE BILL 993 ON SECOND READING

On motion of Senator Moore and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 993, Relating to the production and sale of hydroelectric energy or power by the Trinity River Authority of Texas.

The bill was read second time and was passed to engrossment.

RECORD OF VOTE

Senator Mauzy asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

SENATE BILL 993 ON THIRD READING

Senator Moore moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 993** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 25, Nays 1.

Yeas: Blake, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Howard, Jones of Harris, Jones of Taylor, Kothmann, Longoria, Meier, Mengden, Moore, Ogg, Parker, Patman, Price, Santiesteban, Schwartz, Snelson, Traeger, Vale, Williams.

Nays: Mauzy.

Absent: Andujar, Harris, McKnight, Truan.

Absent-excused: Short.

The bill was read third time and was passed by the following vote: Yeas 25, Nays 2.

Yeas: Blake, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Howard, Jones of Harris, Jones of Taylor, Kothmann, Longoria, Meier, Mengden, Moore, Ogg, Parker, Price, Santiesteban, Schwartz, Snelson, Traeger, Truan, Vale, Williams.

Nays: Mauzy, Patman.

Absent: Andujar, Harris, McKnight.

Absent-excused: Short.

SENATE BILL 581 ON SECOND READING

On motion of Senator Howard and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 581, Relating to the ratification and implementation of the Red River Compact.

The bill was read second time.

Senator Howard offered the following amendment to the bill:

Amend Senate Bill No. 581 on page 9, line 35 of the printed copy by adding the following:

"SECTION 7.03. Special Provisions."

The amendment was read and was adopted.

On motion of Senator Howard and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

SENATE BILL 581 ON THIRD READING

Senator Howard moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 581** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent: Harris.

Absent-excused: Short.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0.

Absent: Harris.

Absent-excused: Short.

SENATE BILL 675 ON SECOND READING

On motion of Senator Howard and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 675, Relating to the ratification and implementation of the Caddo Lake Compact.

The bill was read second time.

Senator Howard offered the following amendment to the bill:

Amend Senate Bill No. 675 on page 3 of the printed copy by making the following corrections:

1. On line 2 insert at the beginning of the line the word "lake" and strike the words "of water" following "level"
2. On line 23 insert "above" following "168.5 feet" and before "mean sea level"
3. On line 26 insert "," following "mean sea level" and before "the total"
4. On line 33 insert "above" following "feet" and before "mean sea level"
5. On line 51 insert "above" following "167.5 feet" at the end of the line
6. On line 54 insert "above" following "168.5 feet" and before "mean sea level"
7. On line 58 insert "above" following "168.5 feet" and before "mean sea level"
8. On line 61 insert "above" following "167.5 feet" and before "mean sea level"

The amendment was read and was adopted.

On motion of Senator Howard and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

SENATE BILL 675 ON THIRD READING

Senator Howard moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 675** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent: Harris.

Absent-excused: Short.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0.

Absent: Harris.

Absent-excused: Short.

COMMITTEE SUBSTITUTE SENATE BILL 300 ON SECOND READING

On motion of Senator Schwartz and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 300, Relating to applicability of the Uniform Wildlife Regulatory Act to saltwater species of marine life.

The bill was read second time and was passed to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 300 ON THIRD READING

Senator Schwartz moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 300** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent: Harris.

Absent-excused: Short.

The bill was read third time and was passed.

**COMMITTEE SUBSTITUTE SENATE BILL 576
ON SECOND READING**

On motion of Senator Brooks and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 576, Relating to the establishment of a coeducational institution of higher education to be located in the city of Houston, to be known as the University of Houston-Downtown College.

The bill was read second time and was passed to engrossment.

**COMMITTEE SUBSTITUTE SENATE BILL 576
ON THIRD READING**

Senator Brooks moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 576** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Short.

The bill was read third time and was passed.

SENATE BILL 354 ON SECOND READING

On motion of Senator Blake and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 354, Relating to the sale of certain land by Stephen F. Austin State University.

The bill was read second time.

Senator Blake offered the following committee amendment to the bill:

Amend Section 1 of **S.B. 354** by striking the words “, in consideration of a sum” and substituting the words “, to the highest bidder by sealed bids if the consideration for and terms and conditions of sale are”

The committee amendment was read and was adopted.

On motion of Senator Blake and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

SENATE BILL 354 ON THIRD READING

Senator Blake moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 354** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Short.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

SENATE BILL 562 ON SECOND READING

On motion of Senator Blake and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 562, Relating to a university center student fee for Stephen F. Austin State University.

The bill was read second time.

Senator Blake offered the following committee amendment to the bill:

Amend **S.B. 562** by adding at the beginning of subsection (b), Section 101.42 of this Act, the following language:

“(b) The decision to levy such a fee, the amount of the initial fee and any increase in the fee must be approved by a majority vote of those students participating in a general election called for that purpose.”

The committee amendment was read and was adopted.

On motion of Senator Blake and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

SENATE BILL 562 ON THIRD READING

Senator Blake moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 562** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Short.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

SENATE BILL 502 ON SECOND READING

On motion of Senator Ogg and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 502, Relating to the establishment of a licensing procedure for food, drug, device and cosmetic salvage brokers and establishments in the State of Texas; delegating rule making authority to the Texas Board of Health; providing

a licensing procedure; establishing fees for licenses; establishing penalties for violations; and declaring an emergency.

The bill was read second time.

Senator Ogg offered the following committee amendment to the bill:

Amend **S.B. 502** in the following manner:

(a) In Section 2 on page 1, after the phrase “and/or distribution has been placed in a” and before the phrase “which satisfies all requirements of the laws in force”, strike the word “conditions” and substitute in lieu thereof the word “condition”.

(b) In Section 4, subsection (g)(1), on page 3, after the phrase “or sprayed on” strike the words “an/or” and substitute in lieu thereof the words “and/or”.

(c) In Section 5, subsection (c) on page 6, strike the first three words “Enter into suc-” and substitute the words “Enter into such”.

(d) In Section 5, subsection (d) on page 6, after the word “boards,” strike the word “exucational” and substitute the word “educational”.

(e) In Section 7, subsection (4)(B), on page 7, after the words “or his”, strike the word “ageny” and substitute in lieu thereof the word “agency”.

The committee amendment was read and was adopted by the following vote: Yeas 21, Nays 5.

Yeas: Blake, Braecklein, Brooks, Clower, Creighton, Doggett, Harris, Howard, Jones of Taylor, Kothmann, Longoria, Mengden, Ogg, Parker, Patman, Price, Snelson, Traeger, Truan, Vale, Williams.

Nays: Farabee, Jones of Harris, Meier, Santiesteban, Schwartz.

Absent: Andujar, Mauzy, McKnight, Moore.

Absent-excused: Short.

On motion of Senator Ogg and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

RECORD OF VOTE

Senator Jones of Taylor asked to be recorded as voting “Nay” on the passage of the bill to engrossment.

MOTION TO PLACE SENATE BILL 268 ON SECOND READING

Senator Harris moved to suspend the regular order of business to take up for consideration at this time:

S.B. 268, Relating to the amendment of Article 3.12, Insurance Code of the State of Texas as amended; increasing the amount of salary, compensation or emolument authorized by law to be paid to any officer, trustee, or director of a domestic insurance company, or to any person, firm, or corporation, without a vote of the board of directors of such company, to Fifty Thousand Dollars; and declaring an emergency.

The motion was lost by the following vote: Yeas 12, Nays 14.

Yeas: Blake, Creighton, Farabee, Harris, Howard, Jones of Taylor, McKnight, Meier, Mengden, Ogg, Snelson, Williams.

Nays: Braecklein, Brooks, Clower, Doggett, Jones of Harris, Kothmann, Longoria, Parker, Patman, Price, Schwartz, Traeger, Truan, Vale.

Absent: Andujar, Mauzy, Moore, Santiesteban.

Absent-excused: Short.

SENATE BILL 1006 ON SECOND READING

Senator Santiesteban asked unanimous consent to suspend the regular order of business to take up for consideration at this time:

S.B. 1006, Relating to ad valorem taxation of tangible personal property temporarily in this state.

There was objection.

Senator Santiesteban then moved to suspend the regular order of business and take up **S.B. 1006** for consideration at this time.

The motion prevailed by the following vote: Yeas 26, Nays 1.

Yeas: Blake, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Harris, Howard, Jones of Harris, Jones of Taylor, Kothmann, Longoria, McKnight, Meier, Mengden, Ogg, Parker, Price, Santiesteban, Schwartz, Snelson, Traeger, Truan, Vale, Williams.

Nays: Patman.

Absent: Andujar, Mauzy, Moore.

Absent-excused: Short.

The bill was read second time and was passed to engrossment.

RECORD OF VOTE

Senator Patman asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

SENATE BILL 1006 ON THIRD READING

Senator Santiesteban moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 1006** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 1. (Same as previous roll call)

The bill was read third time and was passed.

RECORD OF VOTE

Senator Patman asked to be recorded as voting "Nay" on the final passage of the bill.

SENATE BILL 1007 ON SECOND READING

On motion of Senator Santiesteban and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 1007, Relating to ad valorem taxation of tangible personal property temporarily located in this state.

The bill was read second time and was passed to engrossment.

RECORD OF VOTE

Senator Patman asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

SENATE BILL 1007 ON THIRD READING

Senator Santiesteban moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 1007** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 1.

Yeas: Blake, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Harris, Howard, Jones of Harris, Jones of Taylor, Kothmann, Longoria, McKnight, Meier, Mengden, Ogg, Parker, Price, Santiesteban, Schwartz, Snelson, Traeger, Truan, Vale, Williams.

Nays: Patman.

Absent: Andujar, Mauzy, Moore.

Absent-excused: Short.

The bill was read third time and was passed.

RECORD OF VOTE

Senator Patman asked to be recorded as voting "Nay" on the final passage of the bill.

SENATE JOINT RESOLUTION 52 ON SECOND READING

Senator Santiesteban asked unanimous consent to suspend the regular order of business to take up for consideration at this time:

S.J.R. 52, Proposing a constitutional amendment to authorize laws limiting ad valorem taxation by this state of property only temporarily in the state.

There was objection.

Senator Santiesteban then moved to suspend the regular order of business and take up **S.J.R. 52** for consideration at this time.

The motion prevailed by the following vote: Yeas 26, Nays 1.

Yeas: Blake, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Harris, Howard, Jones of Harris, Jones of Taylor, Kothmann, Longoria, McKnight, Meier, Mengden, Ogg, Parker, Price, Santiesteban, Schwartz, Snelson, Traeger, Truan, Vale, Williams.

Nays: Patman.

Absent: Andujar, Mauzy, Moore.

Absent-excused: Short.

The resolution was read second time and was passed to engrossment.

RECORD OF VOTE

Senator Patman asked to be recorded as voting "Nay" on the passage of the resolution to engrossment.

SENATE JOINT RESOLUTION 52 ON THIRD READING

Senator Santiesteban moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.J.R. 52** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 1. (Same as previous roll call)

The resolution was read third time and was passed by the following vote: Yeas 26, Nays 1. (Same as previous roll call)

WELCOME AND CONGRATULATORY RESOLUTIONS

S.R. 314 - By Vale: Extending congratulations to Jeffrey Robert Mendelsohn.

S.R. 316 - By Doggett: Extending congratulations to the Austin office of the Social Security Administration.

S.R. 317 - By Doggett: Extending welcome to the 7th Grade Class from St. Mary's Cathedral School.

S.R. 318 - By Clower: Extending welcome to Reverend and Mrs. Young Tucker.

S.R. 319 - By Clower: Extending welcome to Brooks Baker Henry.

S.R. 320 - By Clower: Extending welcome to Mr. and Mrs. Vic Mearon.